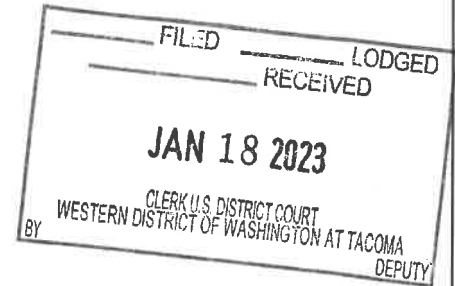


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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Johnson, David, A.

CASE NO. 3:23CV5046BHS  
[to be filled in by Clerk's Office]

## COMPLAINT FOR A CIVIL CASE

Jury Trial: ☒ Yes ☐ No

Plaintiff(s),

v.

Woodland Police Department  
Police chief James Kelly, Police  
officer Brent Murray in his  
official and individual capacity;  
Clark County Sheriff deputy  
sheriff Shane Joachim in  
his official and individual  
capacity

Defendant(s).

## I. THE PARTIES TO THIS COMPLAINT

## A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Johnson, David, A.
Street Address	167 West Christy Ct.
City and County	Yacolt, Clark County
State and Zip Code	Washington 98675
Telephone Number	360-356-5293

\$402. - paid 730000/108

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## B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name

clark county sheriff

Job or Title (if known)

clark county sheriff

Street Address

707 West 13<sup>th</sup> street

City and County

Vancouver, clark county

State and Zip Code

Washington 98666

Telephone Number

564-397-2211

## Defendant No. 2

Name

Shane Joachim

Job or Title (if known)

Deputy sheriff

Street Address

707 West 13<sup>th</sup> street

City and County

Vancouver, clark county

State and Zip Code

Washington 98666

Telephone Number

564-397-2211

## Defendant No. 3

Name

Woodland Police Department

Job or Title (if known)

Police Department

Street Address

200 East Scott Ave

City and County

Woodland, Cowlitz County

State and Zip Code

Washington 98674

Telephone Number

360-225-6965

Defendant

James Kelly

Police chief

200 East Scott Ave

Woodland, Cowlitz County

Washington 98674

360-225-6965

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## Defendant No. 4

Name

Brent Murray

Job or Title (if known)

Police officer

Street Address

200 East Scott Ave,

City and County

Woodland, Cowitz

State and Zip Code

Washington, 98674

Telephone Number

360-225-6965

## II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (select all that apply)



Federal question:



Diversity of citizenship:

If checked complete section A.

If checked complete section B.

Fill out the paragraphs in this section that apply to this case.

## A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States

Constitution that are at issue in this case. Attach additional pages if needed.

Violation of 4<sup>th</sup> and 14<sup>th</sup> Amendment deprivation of liberty,  
 excessive use of force, gross negligence and reckless  
 endangerment, false imprisonment, unlawful arrest,  
 intentional infliction emotional distress, Assault, Battery,  
 Negligence per se, Failure to train, willful and wanton  
 Negligent hiring, retention and lack of supervision,  
 lack of Jurisdiction

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B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual.

The plaintiff (*name*) \_\_\_\_\_, is a citizen of the  
State of (*name*) \_\_\_\_\_.

b. If the plaintiff is a corporation.

The plaintiff, (*name*) \_\_\_\_\_, is incorporated under  
the laws of the State of (*name*) \_\_\_\_\_, and has its principal  
place of business in the State of (*name*) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual.

The defendant, (*name*) \_\_\_\_\_, is a citizen of the  
State of (*name*) \_\_\_\_\_. Or is a citizen of  
(*foreign nation*) \_\_\_\_\_.

b. If the defendant is a corporation.

The defendant, (*name*) \_\_\_\_\_, is incorporated under  
the laws of the State of (*name*) \_\_\_\_\_, and has its principal  
place of business in the State of (*name*) \_\_\_\_\_.

Or is incorporated under the laws of (*foreign nation*) \_\_\_\_\_,  
and has its principal place of business in (*name*) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

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## 3. The Amount in Controversy.

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain) Attach additional pages if needed:

**III. STATEMENT OF CLAIM**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

6/14/2021; officer Murray shot plaintiff in his back with a taser gun. officer Joachim assisted in this action. location: 167 W. Christy Court Yakolt, Washington 98675  
No Probable cause for arrest, lack of Jurisdiction, Excessive force, No warrant for arrest

**IV. RELIEF**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. Attach additional pages if needed.

4th Amendment violation: \$250,000 perjury: \$50,000  
False arrest: \$100,000 official misconduct: \$50,000  
False imprisonment: \$250,000  
Excessive use of force: \$750,000  
Assault and Battery: \$100,000  
Deprivation of liberty: \$250,000  
Violation of oath of office: \$50,000

**V. CERTIFICATION AND CLOSING**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

1/18/2023

Signature of Plaintiff

David Johnson

Printed Name of Plaintiff

David Johnson

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff